

The Leesburg Planning Commission met on Thursday, April 7, 2005 in the Council Chambers, 25 West Market Street, Leesburg, Virginia. Staff members present were Susan Swift, David Fuller, Steve McGreggor, Bruce Douglas, Nick Colonna and Linda DeFranco

CALL TO ORDER

The meeting was called to order at 7:00pm by Chairman Vaughan.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: Chairman Vaughan
Commissioner Bangert
Commissioner Barnes
Commissioner Hoovler
Commissioner Jones
Commissioner Kalriess
Commissioner Wright
Mayor Umstattd

ADOPTION OF AGENDA

Commissioner Wright moved to adopt the agenda as presented

Motion: Wright
Second: Hoovler
Carried: 7-0

APPROVAL OF MINUTES

Commissioner Hoovler moved to adopt the minutes of the March 17, 2005 meeting as presented with one minor edit.

Motion: Hoovler
Second: Kalriess
Carried: 7-0

CHAIRMAN'S STATEMENT

Chairman Vaughan stated that the public hearing of the 2005 Draft Town Plan was the only item on tonight's agenda. Mr. Vaughan went on to ask that the public hearing on the Town Plan be extended through the 11th of April.

Commissioner Bangert moved to allow the public hearing comment period to remain open through the 11th of April, 2005 and be closed on that date.

Mayor Umstattd asked whether this was at the close of business on the 11th. The response was yes.

Motion: Bangert

Second: Barnes

Carried: 7-0

PETITIONER'S SESSION

Charles King of 414 Lacey Street and a member of KSLB reported on the meeting that KSLB had with Centex Corporation. The meeting focused on the third submission. They met with Centex and presented their thoughts of how they would like to see the area developed. The density was still an issue in this application, and they are concerned about the impact on schools and roads.

Chairman Vaughan thanked Mr. King. He mentioned that he had requested Centex open communications with the citizens in order to get feedback on the third submission.

Mr. King said that the members of KSLB do not sit on boards and commissions, they are not familiar with the process, and they are very concerned about the impact of this application. The general citizens do not know the process. He apologized for any confusion on the part of the commission or the members of KSLB with regard to the Centex meeting.

Mr. King said while there had been miscommunication in the past, now they feel that open communication is necessary because, after two submissions, densities have not changed. Mr. Vaughan said the Commission can only suggest that these type meetings occur.

Alison Linville of 44650 Cope Drive, Leesburg came forward to say that she is very frightened by this application. Her issues include traffic impact and the impact on schools. She thanked the commission for requesting a lower density.

PUBLIC HEARING

David Fuller, Chief of Comprehensive Planning said he had no presentation and would like the meeting to go right into the public comment session.

Claire DeAngioletti of 408 Georgetown Court, NE came forward and read a poem regarding her wishes to see an outdoor pool at the Ida Lee Recreation Center. She would like to see more detail in the recreation element of the town plan.

Tony Calabrese of Cooley Godward came forward to provide a presentation on the Leegate property near the intersection of Battlefield Parkway and Route 7. He primarily wanted to give a preview of the proposed development in the area and how it relates to

the draft town plan. He went on to say that they are working with the residents of Kincaid Forest and are proposing regional high quality office area along with some other mixed uses. They would like to see the area zoned accordingly and also be in compliance with the new town plan.

Commissioner Bangert asked when the meeting with Kincaid Forest would be. Mr. Calabrese responded that the first meeting is scheduled for April 19.

Mayor Umstattd asked if the mixed use center did not contain any residential, would that be acceptable? Mr. Calabrese replied that transitioning to residential on the south side of the tract is most desirable. The high quality office area will be along Rt. 7.

Commissioner Kalriess asked what it is about the mixed use centers that makes them work. Mr. Calabrese responded that one characteristic is that corporate tenants need a vitality available to their employees in order to recruit the young, bright employees. Being able to access restaurants, stores and other service providers creates a desirable living area. Mr. Kalriess asked if they could provide some images of successful centers so that they can get a visual.

Mayor Umstattd asked Mr. Calabrese if he was aware that George Mason University is looking for a location in Loudoun County, and asked him to make contact with them.

Jennifer Kalinowsky of 101 Shana Drive came forward with concerns about the scale of the buildings and asked the Commission to carefully consider this. She brought along a resolution adopted by the Evergreen Meadows Homeowners Association opposing the mixed use center on the north portion of the "Leesburg South" parcel for reasons as follows: light, noise, odor, traffic impacts; the center would be in close proximity to single family homes, and recreation areas; low rating in the Land Use Compatibility Codes; ecologically valuable resources would be affected; and maintaining historical qualities and features in the area (Carolina Trail) is important.

Gem Bingol of the Environmental Advisory Commission said that she will submit her comments in writing. Essentially she has concern about watershed areas. The Community Design element, along with other elements need to include features that will protect and restore water resources, stormwater management and watersheds.

Chairman Vaughan said the public hearing will remain open until 5:00pm on April 11, 2005 and asked for further comments from the public. There were two letters submitted from Dale Lumber Company and Epic Development LLC with regard to town plan comments. There is a meeting scheduled for April 14, 2005 to continue discussion on the draft Town Plan.

Commissioner Wright asked about the compilation of comments and how staff would like to receive Commissioners' input. Susan Swift said they will go through the comments item by item.

Commissioner Kalriess asked if the Commission could get a copy of the EAC/EDC/PC joint meeting minutes included in their packet.

Commissioner Jones commented on watersheds. In the JLMA, the line is drawn at Sycolin Creek. The line is actually 100 or more feet out to include the watershed. If there is no baseline for watershed importance, then there is only lip service. Unless something is actually incorporated, this is not effective. There must be a planning tool incorporated for watersheds. While there is a stormwater management study currently underway, they are not incorporating some of the important details required.

Chairman Vaughan then asked that the Commission review the comments page by page and make their comments.

There was some brief discussion on the way this should be done and it was decided to take each item and comment or agree on it.

Under the Introduction, #1, there was consensus.

Item #2 – Commissioner Bangert suggested that the term “UGA” and “JLMA” be combined to “UGA/JLMA”. Commissioner Jones disagreed. There was no agreement to constitute a JLMA. Susan Swift said it is written that they are not done jointly and something must be established. The terminology is simply for our purposes in this document. Commissioner Wright agreed with this. Commissioner Hoover also voiced agreement.

Item #3 – Commissioner Jones said it should say “sole provider”. Mayor Umstattd said the town is not always the “sole provider” and there has never been an agreement to that extent. The term “first right of refusal” should be inserted according to Chairman Vaughan. Commissioner Wright referred to the page in the introduction and said that it was clearly stated. The question arose at a previous meeting and has been discussed. Commissioner Hoover said it must be stated clearly to avoid confusion. There was some discussion about the County possibly overriding on this. Randy Greehan said it is our water and our sewer and we can do what we please with it. They can’t force anything. Mr. Jones said we could lose the planning structure in the UGA/JLMA if we allow the County to provide the water and sewer. Randy Greehan said if they come up with a policy, he will craft the language. Commissioner Wright suggested the following: #1 The Town has the sole right to extend water to the JLMA. #2 No water extension without a BLA, and #3 no water extension without mutually agreed upon joint planning and review process. Following further discussion, the Commission came to consensus on this.

Discussion of item #3 led to item #7 under Community Facilities and Services. It was decided to let this language be reviewed by the attorney who will then bring suggestions back to the Commission.

Natural Resources – Item #1

Commissioner Bangert agreed with the goal to increase the tree canopy through adoption of a formal policy of “no net loss of tree canopy”, but wasn’t sure that the timing would work between the Urban Forestry Master Plan and the Town Plan. Bruce Douglas explained the reasoning staff had behind the implementation of this.

Commissioner Kalriess asked if this couldn’t be addressed through the DCSM.

Commissioner Jones asked if there was another way to phrase this to strengthen the impact. He feels that “no net loss” is misleading.

Commissioner Wright said that many of the objectives support and strengthen each other eventually in the document. Commissioner Hoovler said that the language in the introduction should be strengthened, and should reference the Urban Forestry Master Plan. Bruce Douglas gave an explanation of why strengthening the language would be a moot point.

Commissioner Kalriess said that we need to determine what we want and strengthen the language to support that. Commissioner Wright agreed that something needed to be included so that developers know there is a requirement to replace trees.

Items #3, #4 and #5 were OK with the Commission members.

Item #6, the statement Trees are not an effective barrier to highway noise was not acceptable to the Commission. Commissioner Bangert said that in conjunction with berming or screening of walls, trees are acceptable sound barriers. Commissioner Wright said that he really doesn’t want to see sound walls along Route 15. Commissioner Kalriess said that he had worked on sound walls, and there are ways to utilize trees in softening the effect. Commissioner Bangert handed out a newspaper article that specifically stated that trees do mitigate noise levels. Commissioner Jones said they need to ask for what they can and trees need to be incorporated into the request.

Chairman Vaughan said that the commission is asking that trees be incorporated as often as possible for noise mitigation.

Item #7 was agreeable to the Commission.

Item #8, Commissioner Bangert asked if there was a list of unsuitable restoration methods. Susan Swift said that the DCSM does specifically list restoration methods. Commissioner Wright said that no matter what, riparian standards are important and this needs to be stated.

Items #9, and #10 were agreeable to the Commission.

Item #11 – Commissioner Bangert said that there needed to be some restrictions on where parking garages might be built. Commissioner Kalriess said they must be careful where they encourage parking structures so that unsightly garages are not built.

Items #12, 13, 14, 15, 16 and 17 were agreeable to the Commission. Commissioner Bangert questioned the meaning of the statement in Item #13. Bruce Douglas explained the meaning. It was suggested that this be added to the DCSM, requiring landscaping in parking lots.

Item #18 – Commissioner Wright mentioned that replacement caliper needed to be included in the statement. Commissioner Kalriess said in many places trees in public space are required to be replaced by similarly callipered trees where possible.

Item #19 was agreeable to the Commission.

Item #20 – Commissioner Bangert asked how this would relate to an outdoor lighting ordinance once passed.

Items #21 and #22 were agreeable to the Commission. There was brief discussion on the impact of trees and berms as they relate to lighting standards.

Item #23 – Commissioner Wright felt that this needed to be strengthened to make the watersheds important in land use and transportation decision making. Commissioner Jones said the watershed delineation is better and more important than quadrants. Commissioner Kalriess said that he felt this warranted further discussion to help understand exactly how this would impact the plan.

Commissioner Wright agreed that he also didn't quite understand what this is saying and felt that it needs further discussion.

Commissioner Jones felt that #22, mentioning the fertilizer made from sewage treatment sludge, is indeed important and mentioning it is not being self congratulatory.

Items #24 through 27 were agreeable to the Commission.

Under Parks and Recreation, the Commission had consensus on all items with the exception of Item #7 where they felt it was essential for citizens to realize the cost of public facilities.

SUBDIVISION AND LAND DEVELOPMENT

None

COMPREHENSIVE PLANNING

Addressed in Public Hearing

COUNCIL AND REPRESENTATIVES' REPORT

None

STAFF AND COMMITTEE REPORTS

None

OLD BUSINESS

None

NEW BUSINESS

Commissioner Kalriess asked that the Commission consider better ways for the process to work well. One way is to allow developers to meet with the public before they come to the Commission. This allows for public input and they can incorporate comments into their applications. The Planning Commission should make sure that they are part of any public process after that point. He has spoken with members of KSLB and he wants to make sure that they continue to hear from the residents.

Susan Swift mentioned that the Commission needs to vote on the CIP, preferably on April 14. Chairman Vaughan said that there might be some delay for required feedback. Commissioner Bangert wanted to review the design scope of the Route 15 improvements to assure that they are what the plan sets out.

Commissioner Kalriess requested another worksession for the Land Use policy map. Susan Swift said she thought this would take place on April 21st, since there will be no new cases at this meeting.

ADJOURNMENT

The meeting adjourned at 9:40pm.

Presented by:

Approved by:

Linda DeFranco, Commission Clerk

Clifton Vaughan, Chairman

